

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OHIO COAL ASSOCIATION, *et al.*,

and

MURRAY ENERGY CORPORATION, *et al.*,

Plaintiffs,

v.

**EUGENE SCALIA,
SECRETARY OF LABOR,**

and

**THE MINE SAFETY AND
HEALTH ADMINISTRATION,**

Defendants.

Case No. 2:14-cv-2646

Related Case: 2:15-cv-448

**Judge Graham
Chief Magistrate Judge Deavers**

ORDER

On November 4, 2019, this Court imposed the automatic stay provided for in 11 U.S.C. § 362(a) and applicable to all Plaintiffs in Case No. 2:15-cv-448 and ordered the Plaintiffs in related Case No. 2:14-cv-2646 to advise the Court of whether they intended to proceed with Case No. 2:14-cv-2646 or request a stay of proceedings in light of the bankruptcy petition filed by the Plaintiffs in related Case No. 2:15-cv-448. (ECF No. 126 in Case No. 2:14-cv-2646 and ECF No. 101 in Case No. 2:15-cv-448.) On November 12, 2019, Defendants responded that § 362(a) was not applicable to Case No. 2:14-cv-2646, “and there is no reason for Plaintiffs in that case to request a stay of proceedings in light of Murray Energy’s bankruptcy filing.” (ECF No. 102 in Case No. 2:15-cv-448 at 4376.) On November 14, 2019, Plaintiffs in Case No. 2:14-cv-2646

responded to the Court's Order and requested that the Court also stay the proceedings in Case No. 2:14-cv-2646, "since these cases have been handled by the Court in a consolidated fashion throughout" and to "avoid piecemeal appeals that might result if one case goes forward while the other is stayed." (ECF No. 128 at 4427.)

The Court agrees with Plaintiffs that in the interest of judicial economy, a stay to prevent piecemeal litigation in the two related cases is warranted. A court's power to stay proceedings "is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *Carter v. Bradshaw*, 644 F.3d 329, 336 (6th Cir. 2011). "The entry of such an order ordinarily rests with the sound discretion of the District Court." *Ohio Envtl. Council v. United States Dist. Court, S. Dist., etc.*, 565 F.2d 393, 396 (6th Cir. 1977). The Court therefore exercises its discretion and hereby **STAYS** the proceedings in Case No. 2:14-cv-2646 in light of the previous stay imposed in related Case No. 2:15-cv-448.

IT IS SO ORDERED.

/s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: December 20, 2019